



# The Olympics, the Internet and Blockchain Technology

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One might ask, what do the Olympics, the Internet and Blockchain Technology have in common? The answer to this question starts with ancient Greece where the Olympic Games were born in the 8<sup>th</sup> century BC. The Olympic Games were originally a Greek creation, but in 1894 Baron Pierre de Coubertin founded the International Olympic Committee (IOC), leading to the first modern Games in 1896. The IOC is the governing body of the Olympic Movement, with the Olympic Charter defining its structure and authority. If someone had to ask if Greece or else Baron de Coubertin own or have any exclusive rights over the Olympic Games, the answer would be in the negative as these are deemed to be a universal heritage and a global public good.

The Internet came about at a later stage and its existence began with the development of electronic computers in the 1950s, the ARPANET project in the 1960s, the creation of the TCP/IP in the 1970s and the creation of the World Wide Web in the 1980s. The bulk of the work on the Internet was done by and funded by the U.S. government. Does this necessarily translate into a property right by the U.S.? Some American senators complained that when President Barack Obama's Commerce Department handed its oversight of the IANA functions to ICANN, it was 'giving away the Internet'. But the U.S. could not "give away" the Internet, because the United States does not own it. While the original Internet linked computers entirely in the U.S., today's Internet connects billions of people worldwide. Moreover, the IANA address book, of which there are many copies, is not the Internet.

So, who owns the Internet? Until recently, nobody. That's because its unique design transformed it into a resource for innovation that anyone in the world can use. Today however, courts and corporations are attempting to wall off portions of cyberspace. In so doing, according to Lawrence Lessig, they are destroying the Internet's potential to foster democracy and economic growth worldwide. There are many organisations that oversee and standardise what happens on the Internet and assign IP addresses and domain names, such as ICANN and InterNIC. Many organisations, individuals, companies and governments might claim to own some pieces of the infrastructure (not the internet), but none of these people own all of the internet. Hence it is either owned by all of us or by no one in particular and it represents a "commons", a public space that is shared by those who use it and owned by no one.

Blockchain Technology is usually associated with Satoshi Nakamoto; however the technology is much older than the development of Bitcoin blockchain in 2008. In 1991, Stuart Haber and W. Scott Stornetta described the first work on a cryptographically secured chain of blocks. In the following year they incorporated "Merkle trees" into the design, improving its efficiency. This allowed several documents to be collected into a block.



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There is a big difference between Blockchain Technology and a blockchain. The technology is the concept behind the operation of blockchains; it is the protocol or the principles governing the operation of nodes and it is based on a code that is open source. As with the Internet and the Olympic Games, no one really owns Blockchain Technology. On the other hand, specific private blockchains can be owned by different entities, much like private networks on the Internet or athletic tracks around the globe. Thus, as is the case with the Internet and the Olympic Games, it does not really matter who came up with Blockchain Technology because it has all the elements of a universal heritage and a global public good.

Legislators need to be wary of legal developments aimed at regulating Blockchain Technology. Uncalled for intervention could threaten the elegant dynamics of this foundational technology, from an open, collaborative, decentralised and disintermediated universe, to a controlled wall garden mimicking the existing regime and thus stifling innovation and the democratic process it can bring about.

As much as the Internet represents a “commons”, so does Blockchain Technology, which is borne over the Internet itself and shares its public and common nature. Blockchain Technology, like the Internet, is a road open to all and is carriage neutral. The notion of carriage includes all types of transport and vehicles, and the carriage activity on these roads, which might include private blockchains and smart contracts, will be undertaken within the applicable legal framework. However, as Lessig opines, the road itself only enhances the value of other materials, including the vehicles or property that use it.

This road is a universal resource and needs to be clean, neutral and as much as possible unencumbered, as it has the potential to transport all of us to a new reality and embrace the will of a changing society ushering us into a new foundational paradigm.

*For more information on [Blockchain](#) and [DLTs](#), or if you have any questions, please feel free to contact Dr Ian Gauci on [agtg@afilexion.com](mailto:agtg@afilexion.com).*

***Disclaimer: This article is not intended to impart legal advice and readers are asked to seek verification of statements made before acting on them.***



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